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503.35255V13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): K. Aota, et al.

Appln. No. 10/600,614

Filed: June 23, 2003

For: FRICTION STIR WELDING METHOD AND STRUCTURE BODY  
FORMED BY FRICTION STIR WELDING

Group: 1725

Examiner: L. Edmondson

RESPONSE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 4, 2004

Sir:

In response to the Office Action mailed May 4, 2004, Applicants respectfully submit the following remarks, and enclosed Terminal Disclaimer, for overcoming rejections in this Office Action mailed May 4, 2004.

Thus, the only rejections of claims in the Office Action mailed May 4, 2004, are provisional obviousness-type double patenting rejections, over claims 8, 9, 17-19, 27 and 32 of copending Application No. 10/600,577 (note Item 2 on pages 2 and 3 of this Office Action mailed May 4, 2004); and over claims 5, 8 and 29 of copending Application No. 10/600,575 (see Item 3 on pages 3 and 4 of this Office Action mailed May 4, 2004).

Enclosed herewith please find a Terminal Disclaimer, satisfying all requirements of 37 CFR § 1.321(c) with respect to each of No. 10/600,575 and No. 10/600,577. In view of this Terminal Disclaimer, it is respectfully submitted that

the provisional obviousness-type double patenting rejections set forth in the Office Action mailed May 4, 2004, are moot.

The enclosed Terminal Disclaimer is being submitted in order to facilitate proceedings in connection with the above-identified application, so as to achieve earliest possible issuance of a U.S. Patent based thereon. It is respectfully submitted that the present filing of this Terminal Disclaimer does not constitute agreement with, or an admission as to the propriety of, the obviousness-type double patenting rejections; and does not constitute agreement with, or an admission as to the propriety of, arguments made by the Examiner in connection with the obviousness-type double patenting rejections.

It is again noted that the provisional obviousness-type double patenting rejections are the only rejections set forth in the Office Action mailed May 4, 2004. Accordingly, by filing of the enclosed Terminal Disclaimer, the provisional obviousness-type double patenting rejections are clearly overcome. Accordingly, withdrawal of the provisional obviousness-type double patenting rejections, allowance of all claims in the application, and passing of the above-identified application to issue in due course, are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135

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(Case No. 503.35255V13), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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